

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**LONNIE ALEX,**

**Plaintiff,**

**v.**

**ECKERD DRUGS,**

**Defendant.**

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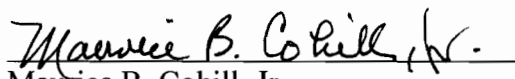
**Civil Action No. 06-145 Erie**

**ORDER**

The Defendant, Eckerd Drugs, removed this matter from the Court of Common Pleas of Crawford County, Pennsylvania on June 29, 2006. On July 27, 2006, Plaintiff, a citizen of Pennsylvania, filed a Motion to Remand (Doc. 2) contending that complete diversity of citizenship is lacking in that Defendant's principal place of business is Pennsylvania. On August 11, 2006, Defendant filed its Reply to Plaintiff's Motion to Remand (Doc. 6) contending that its principal place of business is Rhode Island. Upon Order of the Court the parties filed additional pleadings to fully address this issue and it is now ripe for our consideration.

In light of the Affidavit of Randy Wyrofsky, the Chief Financial Officer for Eckerd Corporation, we find that Defendant is a Delaware Corporation with its principal place of business in Rhode Island. Since Plaintiff is a citizen of Pennsylvania resident, the parties in this action are diverse. We will therefore deny Plaintiff's Motion to Remand.

AND NOW, this 30<sup>th</sup> day of August, 2006, it is hereby ORDERED, ADJUDGED, and DECREED that Plaintiff's Motion to Remand be and hereby is DENIED.

  
Maurice B. Cohill, Jr.  
Senior United States District Judge